

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION

CASE NO.: 0:23-cv-61203-AHS

THE SMILEY COMPANY SPRL,

Plaintiff,

v.

THE INDIVIDUALS, PARTNERSHIPS AND
UNINCORPORATED ASSOCIATIONS
IDENTIFIED ON SCHEDULE “A,”

Defendants.

_____ /

PLAINTIFF’S MOTION TO UNSEAL

Plaintiff, The Smiley Company SPRL, by and through its undersigned counsel, hereby moves this Court for an Order unsealing all documents that have been restricted/sealed from the Court docket and returning all portions of the Court file to the public records. As grounds therefore, Plaintiff states:

1. On June 29, 2023, Plaintiff filed its *Ex Parte* Motion for Entry of Temporary Restraining Order, Preliminary Injunction, and Order Restraining Transfer of Assets, together with the supporting Declarations and Exhibits (the “*Ex Parte* Motion for TRO”) [ECF No. 7], pursuant to Local Rule 5.4(d), which requires, unless the Court directs otherwise, *ex parte* filings be restricted from public view. That same day Plaintiff also filed its *Ex Parte* Motion for Order Authorizing Alternate Service of Process on Defendants (the “*Ex Parte* Motion for Alternate Service”) [ECF No. 8].

2. On June 29, 2023, the Court issued a Sealed Order Granting Plaintiff’s *Ex Parte* Application for Entry of Temporary Restraining Order (the “Sealed Temporary Restraining

Order”) [ECF No. 11], and on June 30, 2023, the Court issued its Sealed Order Authorizing Alternative Service of Process (the “Sealed Alternate Service Order”) [ECF No. 13]. Upon receipt, Plaintiff served the Sealed Temporary Restraining Order on the requisite financial institutions to restrain Defendants’ financial accounts at issue.

3. Plaintiff has confirmed the restraints of Defendants’ accounts and has served the Complaint, Summons, Sealed Temporary Restraining Order, Order Extending the Temporary Restraining Order and all pleadings and filings in this matter on each Defendant in this action by: (1) providing the address to Plaintiff’s designated Serving Notice Website to Defendants via e-mail to the e-mail accounts provided by the e-commerce platform associated with each of the Seller IDs, and (2) posting a copy of all documents filed in this matter at the URL <https://www.dropbox.com/scl/fo/sefaaeo184kgzl5vndtb/h?dl=0&rlkey=k6ihu9whudejodx2m10ride8d>.

4. As a seal on this matter is no longer required, Plaintiff respectfully requests this matter be unsealed and the portions of the docket relating to Plaintiff’s *Ex Parte* Motion for TRO, together with all other documents that have been restricted from the Court docket, be returned to the public portions of the Court file.

WHEREFORE, Plaintiff respectfully requests this Court issue an Order unsealing all documents filed with the Court that have been restricted from the Court docket and direct the Clerk to return those portions of the Court file to the public records.

Date: July 26, 2023

Respectfully submitted by,

Richard Guerra

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